Price. II–27—100,000—21-5-53.

Home (1948) Department.

MS SERIES.

G.O. No.	3849
Dated	18 10 48

[Despatch Abstract.]

Jails - Prisoners — use of Gandhi caps — Prohibition — Revised - G.o. Ms 219 (contdl) Home Dt/16.41 - Cancelled

R.R.DALAVAI J.P.

Phone:84420

SEVASHRAM,
Big Street, Triplicane,
Madras.
5/5/'48.

Hon. Sri K.Madhava Menon,
Minister for Prisons and Law,
Govt. of Madras,
MADRAS.9.

Sub: Gandhi cap--Prohibition--Jails--cancellation requested.

Dear Sir,

May I draw your attention to the anomaly of Gandhi Cap still being a forbidden article of apparel in jail vide Jail Manual Rule 747-C(3) G.O.2881 Law(gl) dated 11th July 1930 and request you to issue a G.O. making Gandhi Cap an approved apparel and oblige.

Amendment suggested: In rule 747-C(3) - Cancel G.O.No.2881 Law (Gl) dated 11th July 1930 and delete words "such as the Gandhi Cap " after the words "political symbol" and add "Gandhi Cap excepted"

Note:Gandhi Cap shall be considered as a National head dress permissible in jail.

(jail Manual)
Existing Rule: Rule 747-C(3) Clothing.They shall be allowed to wear their own clothing, but this concession should not cover the wearing of political symbols. Clothing supplied at Govt. expense shall be the jail clothing issued to 'B' class prisioners.

In rule 747-C(3) as introduced in G.O.No.2881 dated 11th July 1930 Law (Gl) add the words "such as the Gandhi cap" after the words "Political Symbol'

Thanking you,

Yours truly,

Sd.....
Non-official visitor to Madras Penitentiary.

/True copy/

SUPERINTENDENT,
Madras Record Office.

N.G.19.5.

GOVERNMENT OF MADRAS
ABSTRACT.

JAILS - Prisoners - Use of Gandhi caps - Prohibition - Removed G.O.No.219, (Confidential) Home dated 16-1-1941 - Cancelled.

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HOME DEPARTMENT.

G.O.Ms.No.3849 Dated 18-10-48.
Read the following:

G.O.Ms.219, Confidential, Home dated 16-1-41.

O R D E R:

His Excellency the Governor of Madras directs that the G.O. read above be ~~cancelled~~ cancelled.

(By order of His Excellency the Governor)

Sd xx xx xx xx
16-10-48.

To
The Inspector General of Prisons.
Copy to Sri R.R.Dalavai J.P. Non-official visitor to the Penitentiary, Madras. Sevashram, Big street, Triplicane Madras.

/True copy/

Superintendent,
Madras Record Office.

NG.8.

6/25

HOME DEPARTMENT.

JAILS - Clothing of prisoners - Wearing of Gandhi cap - Prohibition. - Cancellation of

From Sri R.R.Dalavai Letter Dated 5-5-48.

Extracts of the minute of Hon'ble Minister (Agriculture) on page 1 c.f.

Examine please.
K.M./20-6-48.

Sri R.R.Dalavai, non-official visitor to the Penitentiary, Madras reports that Gandhi cap is a forbidden article of apparel in jails and requests that orders may be issued making Gandhi cap an approved apparel. The circumstnaces which led to the prohibition of Gandhi cap in jails is set out below:

In 1930 the Inspector General of Prisons asked whether Gandhi cap was a political symbol and whether the prisoners of the 'A' class as also other prisoners who were privileged to wear their own dress could be permitted to wear it. This Department considered that the wearing of Gandhi cap was certainly significant of one's political leanings, that the cap therefore was a political symbol and that it should not be allowed in a jail. The then Chief Secretary noted that it was not desirable for prisoners to wear Gandhi caps in jails and that it could be classed as a political symbol. This view was finally agreed to in circulation. In G.O.No.3178, L.G. dated 29-7-30 rule 747-C(3) of the M.P.& R.Manual Volume II was amended and that rule as amended ran as follows:-

"They (then A class prisoners) shall be allowed to wear their own clothing, but this concession should not cover the wearing of political symbols such as the Gandhi cap. Clothing supplied at Government expense shall be the Jail clothing issued to B class prisoners."

In 1938 while submitting amendments to the rules in the Madras Prison and Reformatory Manual Volume II, Mr. Rutherford then Inspector General of Prisons suggested that as the Congress Party decided to join in constitutional Government the words "such as the Gandhi cap" occurring in rule 747 C(3) of the rules might be omitted. This was accepted and the words were accordingly omitted in the rule. In 1940 on a reference from the Superintendent C.J. Coimbatore, the Inspector General of Prisons enquired whether the term political symbol in rule 747 C(3) of the rules in the Madras Prisons and Reformatory Manual might be taken to include the Gandhi cap. He was informed that Gandhi caps should not be permitted to be worn as part of the clothing of 'A' Class prisoners. When the above instructions were issued it was considered that amendment of Rule 747 C(3) of the rules in the Madras Prisons and Reformatory Manual Volume II was not necessary.

Cont.

2. Thus the rule was not amended and there is now no mention of Gandhi cap as a political symbol in that rule as reported by Sri R.R.Dalavai. The question of amending the rule as suggested by him does not arise. The question for consideration is whether the executive order in G.O.No.219, Confidential, Home, dated 16-1-41 should be cancelled or nor and it arises only in the case of Class I Prisoners while they are not working in jail factories. (the time when they are allowed to wear private clothing). For orders whether G.O.No.219 Confidential Home, dated 16-1-41 may be cancelled.

3. Public May see before circulation.

May be cancelled.

Sd xx xx xx xx
15-7-48.

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Public(General) Department

The Proposal at 'A' above may be accepted and the file returned to Home.

Sd. xx xx xx xx xx
19-7-48.

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Home Department.

The file relates to the request of Sri R.R. Dalavai that the existing restriction on the use of Gandhi cap by prisoners may be removed - Please see his letter on page 1 c.f. It will be seen from this Department's note on page 1 - 2 ante that there is no rule which prohibits the use ofGandhi cap as stated by Sri R . R. Dalavai. The relevant orders are those in G.O.No.219 Confidential Home dated 16-1-41. This Department proposed that the G.O. may be cancelled and Public (General) have agreed. A draft order is submitted for approval.

Sd xx xx xx xx
22 - 7- 48.

If politicals wanted to wear Gandhi cap inside jail only simple imprisonment people detrinous may be allowed.

Sd. xx xx xx
O-P.R.
31-7-48.

The file may be circulated to Hon'ble Minister (Agriculture) for perusal of Hon'ble Premier's minute above.

If as orginally proposed in the note above, the orders in G.O.Ms.No.219 Home (Confidential) dated 16-1-41 are cancelled, class I prisoners under going rigorous imprisonment all prisoners undergoing simple imprisonment and industrials will be permitted to wear Gandhi cap. But according to Hon'ble Premier's minute above only those undergoing simple imprisonment and detenus will

Cont-

~~will~~ be permitted to wear Gandhi cap.

Sd xx xx xx xx
5-8-48.

~~Gh~~ The cancellation of the G.O. will serve the purpose Hon'ble Premier in view only political detemils and South Indian Pepple are allowed their own clothing . And so they can use Gandhi caps if they so desire. For others Jails supply uniform. So it is enough if the G.O. is cancelled That is what Hon'ble Premier has in mind.

HOn'ble Premier may see.

Sd xx xx xx
-9-48.

Re-circulated to Hon'ble Premier.

Sd xx xx xx
O.P.R.
1-10- 48.

Draft order submitted below is for approval..

Issue.

Sd xx xx xx xx
16 - 10- 48.

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